

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
SPECIAL EXCEPTION & ZONING VARIANCE \* ZONING COMMISSIONER  
SNC Reisterstown Road and \*  
Milford Mill Road \* OF BALTIMORE COUNTY  
120 Reisterstown Road \*  
3rd Election District \* Case No. 92-208-SPHXA  
2nd Councilmanic District \*  
Texaco, Inc. \*  
Petitioner \*

\*\*\*\*\*  
FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on three (3) Petitions by Texaco, Inc. and their corporate subsidiary, Star Enterprise, Inc. for that property known as 120 Reisterstown Road. Specifically, the Petitioner has filed a Petition for Special Hearing requesting an amendment of the site plan in zoning case No. 68-199-RXA, including conversion from full service to Gas and Go, and confirmation that the variances granted in case No. 68-199-RXA are applicable to the proposed use in combination; a Petition for Special Exception seeking approval for a food store use in combination with an existing and previously approved automotive service station, pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) Section 405.4.D.8; and a Petition for Zoning Variance seeking a variance from Section 405.4.D to permit a site area of 17,813 sq. ft. in lieu of the required 19,860 sq. ft.; from Section 405.4.A.3.a to permit an existing combined driveway on Reisterstown Road in lieu of the required 10 ft. curb tangent distance; from Section 405.4.B.5 to permit a 16 ft. high freestanding light to exceed a height greater than 7.75 ft. which is one eighth its distance to a residential zone (62 ft.); from Section 409.6.A.2 to permit 6 parking spaces in lieu of the required 7 spaces; and from Section 413.2.f. to permit 5 free

standing signs with a total sign area of 489.8 sq. ft. in lieu of the maximum allowed 3 signs with a total area of 100 sq. ft., (1-primary trade mark sign with a total sign area of 153.8 sq. ft., and 4 spreader bar signs with a total sign area of 336. sq. ft. - 84 sq. ft. each), all as more particularly shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petitions filed in this case.

The Corporate Petitioner, by its District Manager, Joseph Mitchum, appeared, testified and was represented by Julius W. Lichter, Esquire and Kathryn Turner, Esquire. Also testifying on behalf of the Petition was Richard Truelove, the Engineer who prepared the site plan. Appearing on behalf of the Petition was Nick Commodari and Brian Stephens. Appearing and testifying in opposition to the Petition was Bruce Harris, representing Colonial Village Neighborhood Improvement Association, Gerald G. Altman, Jr., Frank Sapp and Barry M. Gittlen. All of these individuals reside in the neighboring residential community.

Mr. Mitchum testified that he has been employed by Star Enterprise, Inc., for approximately four (4) years. He supervises the Company's distribution and development of sites in Maryland, Northern Virginia and Washington D.C. He further testified that Star Enterprise, Inc. is a subsidiary of Texaco, Inc.

As to the subject site, he described his company's plans in detail. The corporation will raze all existing buildings on this site and has removed the existing underground fuel tanks. This renovation process, which started earlier this year, will result in the construction of a new building which will feature not only gasoline sales but a 24 x 51 ft. Food Mart operation. Mr. Mitchum testified that the conversion costs would be approximately Nine hundred thousand (\$900,000.00) dollars and that this site would be

operated by an independent contractor. The Petitioner has proposed operation on a 7 day per week/24 hour per day basis. Mr. Mitchum also noted and described other similar operations in the immediate area. He opined that in order for his company to be competitive, the business must be open on a 24 hour per day basis. Further, he indicated that the main focus of the business on site would be to sell gasoline. The Food Mart is available chiefly for the convenience of the service station's customers. That is, most people will buy impulse items when they stop for gas, thereby avoiding extra stops on their way to and from their home.

Mr. Richard Truelove described in detail the proposed site and improvements. His testimony centered upon the visual impact that the renovation would have on the existing locale. He noted that the site would be esthetically pleasing in that the grounds will be landscaped and the building constructed to be compatible with the surrounding properties. He also testified as to the lights which would be constructed for the site. He presented uncontradictory evidence that they would not diffuse into any of the residential properties. He also described in detail the driveway access plan, proposed parking and site traffic flow. Lastly, he testified that, as to the variances, the Petitioner satisfied the requirements set forth within Section 307 of the B.C.Z.R.; and, as to the special exception, the Petitioner complied with all requirements prescribed within Section 502.1.

In opposition to the Petition, Bruce Harris, of the Colonial Village Neighborhood Improvement Association, testified. He is not so much in opposition to the proposed business; rather, the 24 hour operation of same. That is, he fears the potential late night effects on the neighborhood. They include the lights on the property which might diffuse into the residential neighborhood and the possibility of increased crime and trash. Mr.

Harris seems to view the proposed operation as a fast food type business, and he discussed the detrimental effects on residential neighborhoods which often are associated with such a use.

Mr. Gerald Altman echoed many of Mr. Harris' concerns. He commented on the pleasing esthetic appearance of the previous building which had been on site and does not think the proposed structure will be an improvement. He also fears the increased possibility of crime, trash and loitering in this area. He noted that this community is one of the oldest in Baltimore County and could not support such a 24 hour operation.

Messrs. Gittlen and Sapp also testified in support of the evidence previously presented in opposition to this request. All of the Protestants were generally concerned about the same types of problems. Lastly, I am in receipt of a letter in opposition to this request from the Pikesville Community Growth Corporation.

In addressing the merits of the Petitions for Special Hearing and Special Exception, I must give great consideration to the location of the property and the proposed use thereon. The site is situated along the highly commercialized Reisterstown Road corridor. In fact, all of the adjacent properties have commercial uses. It is also to be noted this site has featured a service garage for a number of years. After considering these factors, I conclude that the proposed use will not be detrimental to those properties in the vicinity and that the Petitioner has satisfied the conditions as delineated by Section 502.1 of the B.C.Z.R.

In my view, the Petitioner has met his burden of adducing testimony and evidence showing that the proposed use meets the prescribed standards and requirements set forth in Section 502.1. The facts and circumstances do not show that the proposed use at this particular location, described by Peti-

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tioner's Exhibit 1, would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. See Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. Although, I am cognizant of the Protestants' concerns, I do not believe that their dire prediction will materialize.

After reviewing all of the testimony and evidence presented, it appears that the special exception and special hearing should be granted, with certain restrictions as more fully described below.

In addressing the variances, I am likewise persuaded that they should be granted.

The area of the property is sufficient, in my view, to support the proposed use. Likewise, the sign variances are consistent with other similar uses and, therefore, should be granted.

As to the variance requesting the free standing light, the testimony of Mr. Truelove was uncontradicted. I do not believe that same will cause any detriment to the surrounding residential locale.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, development of the property, as proposed, would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 27th day of Dec., 1991 that the Petition for Special Hearing requesting an amendment of the site plan in zoning case No. 68-199-RXA, including conversion from full service to Gas and Go and confirm that the variances granted in case No. 68-199-RXA are applicable to the proposed use in combination, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Special Exception seeking approval for a food store use in combination with an existing and previously approved automotive service station, pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) Section 405.4.D.8, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Zoning Variance seeking a variance from Section 405.4.D to permit a site area of 17,813 sq. ft. in lieu of the required 19,860 sq. ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.A.3.a to permit an existing combined driveway on Reisterstown Road, in lieu of the required 10 ft. curb tangent distance, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 405.4.B.5 to permit a 16 ft. high freestanding light to exceed a height greater than 7.75 ft. which is one eighth its distance to a residential zone (62 ft.); from Section 409.6.A.2 to permit 6 parking spaces, in lieu of the required 7 spaces; and,

IT IS FURTHER ORDERED that a variance from Section 413.2.f. to permit 5 free standing signs with a total sign area of 489.8 sq. ft., in lieu of the maximum allowed 3 signs, with a total area of 100 sq. ft., (1-primary trade mark sign with a total sign area of 153.8 sq. ft., and 4 spreader bar signs with a total sign area of 336. sq. ft. - 84 sq. ft. each), all in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

IT IS FURTHER ORDERED that all prior zoning Orders and restrictions pertaining to the subject property, shall be incorporated herein as if set forth in their entirety and shall be given the full force and effect of law except where inconsistent herewith.

LES:mn

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

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111 West E. 1st Street  
Baltimore, MD 21202

November 17, 1991

Mr. Julius W. Lichter  
Esquire  
111 West E. 1st Street  
Baltimore, Maryland 21202

Dear Mr. Lichter:  
The following is the decision rendered in the above captioned case. The petition for Special Hearing, Special Exception and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact the Appeals Clerk at 301-594-1411.

Very truly yours,  
  
Lawrence E. Schmidt  
Zoning Commissioner

cc: Mr. Joseph Mitchell  
Mr. Richard D. L. P. P.  
Mr. Joseph Mitchell  
Mr. Frank Sharp  
Mr. Harry H. P. P.

## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County **92-208-SPHXA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve to amend the site plan in Zoning Case #68-199-RXA, including conversion from full service to gas & go and to confirm that the variances granted in Case #68-199-RXA are applicable to the proposed use-in-combination

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: (Type or Print Name)  Signature  Address  City and State	Legal Owner(s): (Type or Print Name) <b>TEXACO, INC.</b> Signature By: <b>Joseph G. Mitchum, Agent</b> (Type or Print Name)  Signature  Address  City and State
Attorney for Petitioner: <b>Julius W. Lichter, Esquire</b> (Type or Print Name) Signature <b>305 W. Chesapeake Ave. #113</b> Address <b>Towson, Maryland 21204</b> City and State	<b>3800 Pickett Road</b> Address <b>Fairfax, VA 22031</b> City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted <b>Julius W. Lichter</b> Name <b>305 W. Chesapeake Ave. #113</b> Address <b>Towson, MD 21204</b> City and State Phone No. <b>(301) 321-0600</b>

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING -1/2HR. -1HR.  
AVAILABLE FOR HEARING  
ALL MON./TUES./WED. - NEXT TWO MONTHS  
OTHER  
REVIEWED BY: **CAN** DATE **30049**  
215

## Petition for Special Exception

to the Zoning Commissioner of Baltimore County **92-208-SPHXA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a food store use-in-combination with an existing and previously approved automotive service station pursuant to BCZR Section 405.4.D.8

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: (Type or Print Name)  Signature  Address  City and State	Legal Owner(s): (Type or Print Name) <b>TEXACO, INC.</b> Signature By: <b>Joseph G. Mitchum, Agent</b> (Type or Print Name)  Signature  Address  City and State
Attorney for Petitioner: <b>Julius W. Lichter, Esquire</b> (Type or Print Name) Signature <b>305 W. Chesapeake Ave. #113</b> Address <b>Towson, Maryland 21204</b> City and State	<b>3800 Pickett Road</b> Address <b>Fairfax, VA 22031</b> City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted <b>Julius W. Lichter</b> Name <b>305 W. Chesapeake Ave. #113</b> Address <b>Towson, MD 21204</b> City and State Phone No. <b>(301) 321-0600</b>

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING -1/2HR. -1HR.  
AVAILABLE FOR HEARING  
ALL MON./TUES./WED. - NEXT TWO MONTHS  
OTHER  
REVIEWED BY: **CAN** DATE **30049**  
215

## Petition for Variance

to the Zoning Commissioner of Baltimore County **92-208-SPHXA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section **see attached**

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty),  
due to the irregular shape of the lot and for additional reasons as will be presented at the public hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: (Type or Print Name)  Signature  Address  City and State	Legal Owner(s): (Type or Print Name) <b>TEXACO, INC.</b> Signature By: <b>Joseph G. Mitchum, Agent</b> (Type or Print Name)  Signature  Address  City and State
Attorney for Petitioner: <b>Julius W. Lichter, Esquire</b> (Type or Print Name) Signature <b>305 W. Chesapeake Ave. #113</b> Address <b>Towson, Maryland 21204</b> City and State	<b>3800 Pickett Road</b> Address <b>Fairfax, VA 22031</b> City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted <b>Julius W. Lichter</b> Name <b>305 W. Chesapeake Ave. #113</b> Address <b>Towson, MD 21204</b> City and State Phone No. <b>(301) 321-0600</b>

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING -1/2HR. -1HR.  
AVAILABLE FOR HEARING  
ALL MON./TUES./WED. - NEXT TWO MONTHS  
OTHER  
REVIEWED BY: **CAN** DATE **30049**  
215

## Variance from Section: **92-208-SPHXA**

- 405.4.D to permit a site area of 17,813 square feet in lieu of the required 19,860 square feet.
- 405.4.A.3.a to permit an existing combined driveway on Reisterstown Road in lieu of the required 10 foot curb tangent distance.
- 405.4.B.5 to permit a 16 foot high freestanding light to exceed a height greater than 7.75 feet which is one eighth it's distance to a residential zone (62 feet).
- 409.6.A.2 to permit 6 parking spaces in lieu of the required 7 spaces.
- 413.2.f to permit 5 free standing signs with a total sign area of 489.8 square feet in lieu of the maximum allowed 3 signs with a total area of 100 square feet, (1-primary trade mark sign with a total sign area of 153.8 square feet, and 4 spreader bar signs with a total sign area of 336 square feet - 84 square feet each).

Special Hearing to amend the site plan in Zoning Case #68-199-RXA, including conversion from full service to gas and go and to confirm that the variances granted in Case #68-199-RXA are applicable to the proposed use-in-combination.

Special Exception for a food store use-in-combination with an existing and previously approved automotive service station.

Variance to permit a site area of 17,813 square feet in lieu of the required 19,860 square feet; to permit an existing combined driveway on Reisterstown Road in lieu of the required 10 foot curb tangent distance; to permit a 16 foot high free-standing light to exceed a height greater than 7.75 feet which is one eighth it's distance to a residential zone (62 feet); to permit 6 parking spaces in lieu of the required 7 spaces; and to permit 5 free-standing signs with a total sign area of 489.8 square feet in lieu of the maximum allowed 3 signs with a total area of 100 square feet (1 primary trade mark sign with a total sign area of 153.8 square feet and 4 spreader bar signs with a total sign area of 336 square feet - 84 square feet each).

RICHARD J. TRUELOVE P.E., INC.

CIVIL ENGINEER  
28 EAST SUSQUEHANNA AVENUE  
TOWSON, MARYLAND 21204  
(301) 494-4914

## 92-208-SPHXA

### ZONING DESCRIPTION

Beginning for the same at a point on the southwest side of Reisterstown Road (66 feet wide) said point lying 35 feet, more or less, measured southeasterly along the centerline of Reisterstown Road, thence at a right angle 33 feet, from the centerline intersection of Old Milford Mill Road (50 feet wide), and Reisterstown Road. Thence along the southwesterly right-of-way line of Reisterstown Road south 31 degrees 02 minutes 20 seconds east 130.84 feet. Thence leaving Reisterstown Road south 75 degrees 15 minutes 10 seconds west 106.25 feet, thence a distance of 32.16 feet measured along a curve to the right having a radius of 25.00 feet, the chord of said curve being north 67 degrees 53 minutes 35 seconds west 29.98 feet, thence north 31 degrees 02 minutes 20 seconds west 130.84 feet to the southeast side of Old Milford Mill Road, thence along the southeast right-of-way line of Old Milford Mill Road north 75 degrees 15 minutes 10 seconds east 106.26 feet, thence a distance of 32.16 feet measured along a curve to the right having a radius of 25.00 feet, the chord of said curve being south 67 degrees 53 minutes 35 seconds east 29.98 feet, to the point of beginning.

Containing 17813 square feet, more or less. Being located in the Third Election District, and Second Councilmanic District, of Baltimore County, Maryland. Also known as 120 Reisterstown Road.

October 22, 1991  
letters 90023DES

Richard J. Truelove

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## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: **3rd**  
Date of Posting: **November 27, 1991**  
Posted for: **Special Hearing, Special Exception, Variance**  
Petitioner: **Luxco, Inc.**  
Location of property: **120 Reisterstown Road and Milford Mill Road**  
Location of Sign: **S.W. corner of Reisterstown Road and Old Milford Mill Road**  
Remarks:  
Posted by: **R. J. Truelove** Date of return: **December 2, 1991**  
Number of Signs: **4**

## CERTIFICATE OF PUBLICATION

TOWSON, MD. **Nov 29**, 19**91**

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of **1** successive weeks, the first publication appearing on **Nov 28**, 19**91**

THE JEFFERSONIAN,

S. Zaher Publisher

288  
\$123.82  
75  
198.82



NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed use-in-combination for a food store use-in-combination with an existing and previously approved automotive service station. Variance to permit a site area of 17,813 square feet in lieu of the required 15,000 square feet to permit an existing combined driveway on Reisterstown Road to exceed a height greater than 7.75 feet which is one eighth its distance to a residential zone (62 feet); to permit 6 parking spaces in lieu of the required 7 spaces; and to permit 5 free-standing signs with a total sign area of 489.8 square feet in lieu of the maximum allowed 3 signs with a total sign area of 153.8 square feet and 4 spreader bar signs with a total sign area of 336 square feet and 4 spreader bar signs with a total sign area of 336 square feet - 84 square feet each).

LAWRENCE E. SCHMIDT,  
Zoning Commissioner of Baltimore County  
04/11/88 November 28

## CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 29, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Nov. 28, 1991.

OWINGS MILLS TIMES,

S. Zeke Olson  
Publisher

288  
\$123.82

**Baltimore County**  
**Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Account: R-001-6150  
Number

Date

111 West Chesapeake Avenue  
Towson, MD 21204

DATE: 11/29/91

TEXACO, INC.  
3800 Pickett Road  
Fairfax, VA 22031

ATTN: JOSEPH G. MITCHUM

RE:  
CASE NUMBER: 92-208-SPHXA  
SAC Reisterstown Road and Milford Hill Road  
120 Reisterstown Road  
3rd Election District - 2nd Councilmanic  
Petitioner(s): Texaco, Inc.

Dear Petitioner(s):

Please be advised that \$ 450.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

044048002MICHRC  
SA 0010:20AM10-30-91  
\$450.00

LAST NAME OF OWNER: TEXACO INC

020 - ZONING VARIANCE (OTHER) 1  
040 - SPECIAL HEARING (OTHER) 1  
050 - SPECIAL EXCEPTION 1  
070 - SUM OF ABOVE FEES (MAXIMUM) \$450.00  
TOTAL: \$450.00

Please Make Checks Payable To: Baltimore County

**Baltimore County**  
**Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Account: R-001-6150  
Number

Date

111 West Chesapeake Avenue  
Towson, MD 21204

DATE: 12/3/91

TEXACO, INC.  
3800 Pickett Road  
Fairfax, VA 22031

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044048002MICHRC  
SA 0010:20AM10-30-91  
\$450.00

LAST NAME OF OWNER: TEXACO INC

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040 - SPECIAL HEARING (OTHER) 1  
050 - SPECIAL EXCEPTION 1  
070 - SUM OF ABOVE FEES (MAXIMUM) \$450.00  
TOTAL: \$450.00

Please Make Checks Payable To: Baltimore County

**Baltimore County Government**  
**Office of Zoning Administration**  
**and Development Management**  
**Office of Planning & Zoning**

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 11/29/91

TEXACO, INC.  
3800 Pickett Road  
Fairfax, VA 22031

ATTN: JOSEPH G. MITCHUM

RE:  
CASE NUMBER: 92-208-SPHXA  
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040 - SPECIAL HEARING (OTHER) 1  
050 - SPECIAL EXCEPTION 1  
070 - SUM OF ABOVE FEES (MAXIMUM) \$450.00  
TOTAL: \$450.00

Please Make Checks Payable To: Baltimore County

**Baltimore County Government**  
**Office of Zoning Administration**  
**and Development Management**  
**Office of Planning & Zoning**

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 11/29/91

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3800 Pickett Road  
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Dear Petitioner(s):

Please be advised that \$ 450.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

044048002MICHRC  
SA 0010:20AM10-30-91  
\$450.00

LAST NAME OF OWNER: TEXACO INC

020 - ZONING VARIANCE (OTHER) 1  
040 - SPECIAL HEARING (OTHER) 1  
050 - SPECIAL EXCEPTION 1  
070 - SUM OF ABOVE FEES (MAXIMUM) \$450.00  
TOTAL: \$450.00

Please Make Checks Payable To: Baltimore County

**Baltimore County Government**  
**Office of Zoning Administration**  
**and Development Management**  
**Office of Planning & Zoning**

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

December 3, 1991

Julius W. Lichter, Esquire  
305 W. Chesapeake Avenue  
Towson, MD 21204

RE: Item No. 215, Case No. 92-208-SPHXA  
Petitioner: Texaco, et al  
Petition for Special Hearing, Special Exception and Variance

Dear Mr. Lichter:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

**Baltimore County Government**  
**Office of Zoning Administration**  
**and Development Management**  
**Office of Planning & Zoning**

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 11/29/91

TEXACO, INC.  
3800 Pickett Road  
Fairfax, VA 22031

ATTN: JOSEPH G. MITCHUM

RE:  
CASE NUMBER: 92-208-SPHXA  
SAC Reisterstown Road and Milford Hill Road  
120 Reisterstown Road  
3rd Election District - 2nd Councilmanic  
Petitioner(s): Texaco, Inc.

Dear Petitioner(s):

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**Office of Zoning Administration**  
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**Office of Planning & Zoning**

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Towson, MD 21204

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TOTAL: \$450.00

Please Make Checks Payable To: Baltimore County

**Bureau of Traffic Engineering**  
**Department of Public Works**  
**Baltimore County, Maryland**

DATE: November 27, 1991

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 12, 1991

ITEM NUMBER: 215

Please see the C.R.G. comments for this site.

RJF/lvd



# RESUME: RICHARD TRUELOVE P.E.

DECEMBER 9, 1991

Education:

1966-1968	Baltimore Junior College	A.A. Engineering (transfer)
1968-1971	Loyola College	B.S. Engineering/Physics
1972-1976	Johns Hopkins University	B.S. Engineering (Evening College)

Professional Registration:

Professional Engineer	Maryland, 1977, Civil Engineer
	Pennsylvania, 1991, Civil Engineer

Employment:

June 1990 - present	President, Richard Truelove, P.E., Inc.
1981 - 1990	Vice President, Civil Engineer, APR Associates, Inc.
1978 - 1981	Project Engineer, Purdum and Jeschke
1971 - 1978	Engineer, U.S. Army Engineer District, Baltimore

Zoning Experience:

Since 1978 Mr. Truelove has testified on numerous occasions before the Baltimore County Zoning Director, and the Board of Appeals for zoning issues and CRG Appeals. Representative clients include:

Stevenson Village (shopping center)  
Site Plan preparation and testimony for rezoning and zoning variances for a shopping center expansion.

P.F. Obrecht Associates, commercial real estate developers  
Site Plan preparation and testimony for special hearings and zoning variances for retail and office development.

George L. Schnader, Jr., Inc., residential and commercial real estate development  
Site Plan preparation and testimony in appeals to CRG Approval for residential development.

**RECEIVED**  
**DECEMBER 11 1991**  
**NO 2**

Amoco Oil Company.  
Site Plan preparation and testimony for special exceptions and zoning variances for gas station improvements

PENN Advertising of Baltimore, Inc.  
Site Plan preparation for Outdoor Advertising special exceptions and permits

STAR Enterprise  
Site Plan preparation for special exceptions and zoning variances for gas station improvements

**PIKESVILLE**  
Community Growth

3655-A  
Old Court Road  
Suite 15  
Pikesville, MD 21208

Telephone  
(301) 484-2310

December 11, 1991

Mr. Lawrence E. Schmidt  
Zoning Commissioner  
400 Washington Avenue, Rm. 113  
Old Courthouse  
Towson, MD 21204

Dear Mr. Schmidt,

The Pikesville Community Growth Corporation is comprised of 11 community organizations, the Pikesville Senior Center and the Pikesville Chamber of Commerce.

We have considered the proposals from Texaco and are opposed to granting the requested variances.

P.C.G.C. is in support of the Colonial Village Neighborhood Improvement Association's position which protects the residential integrity of their community. The station's location is close enough to homes that it will create problems such as trash, disruptions from lights and noise, as well as creating a target for crime.

We have also voted to have the Texaco station limit their operating hours in order to protect their employees, as well as the community. Several other stations in Pikesville such as the Shell station, are now limiting their hours and we feel it is not unreasonable to request Texaco to limit their hours also.

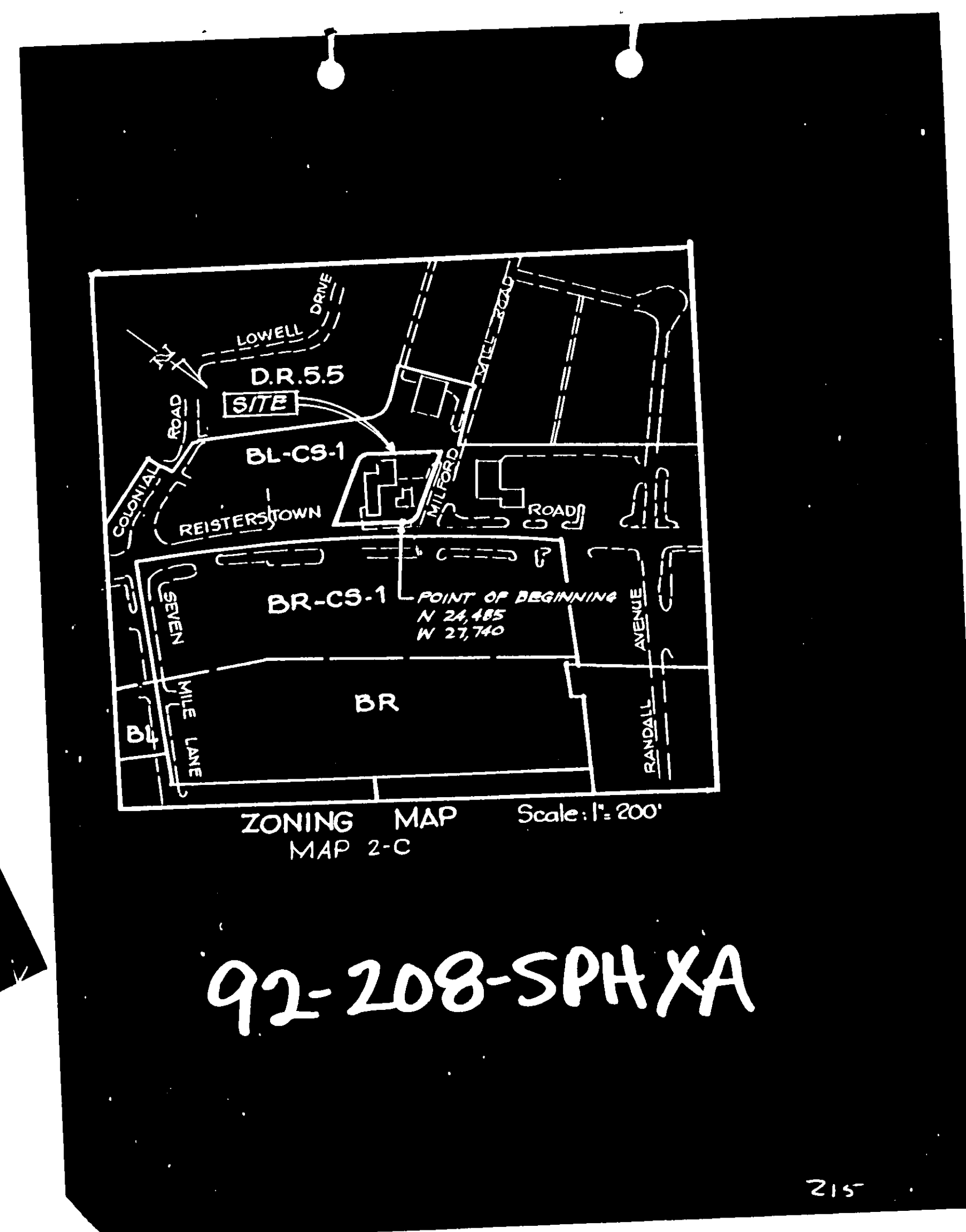
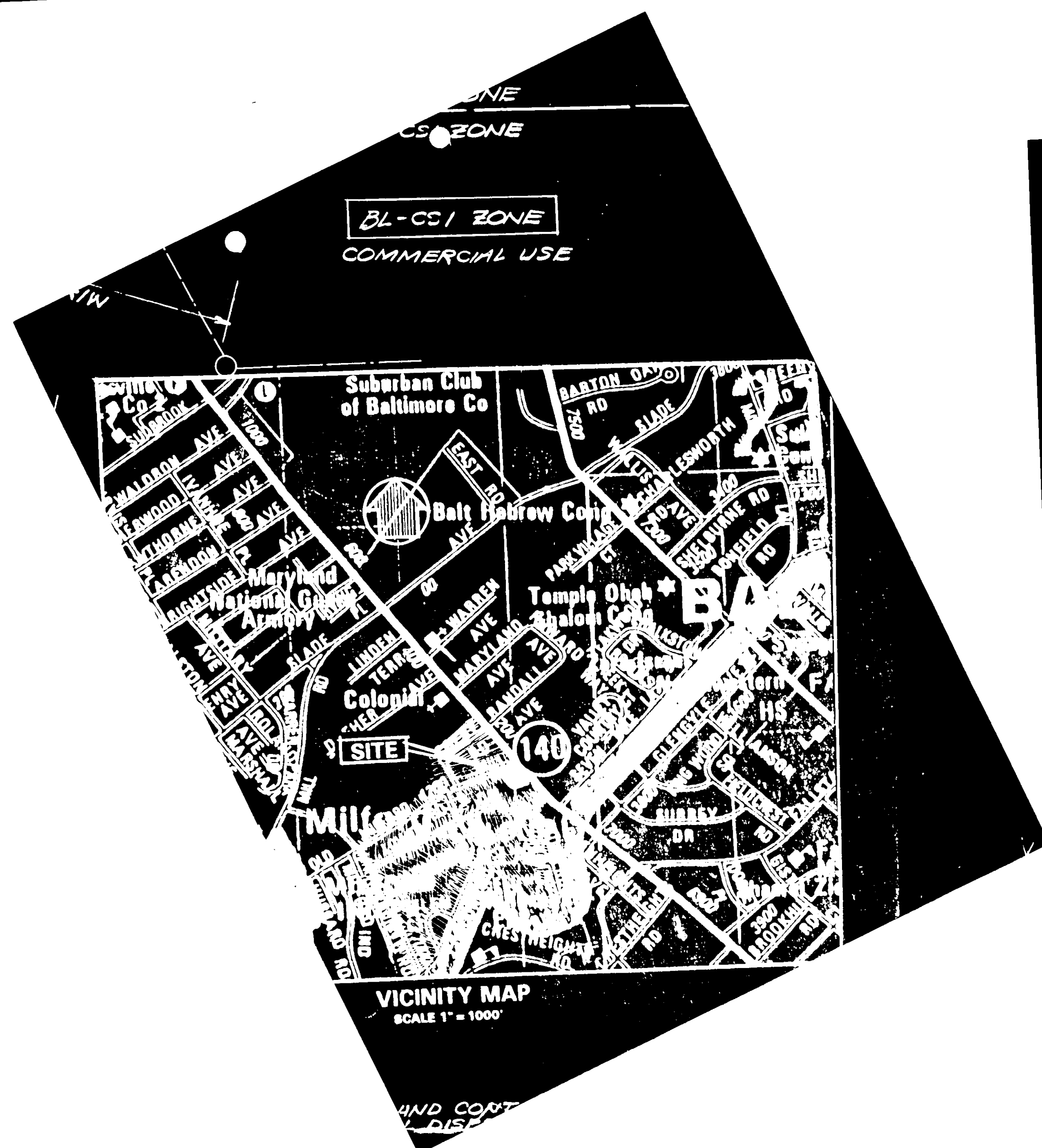
We hope you will make findings concurring with the community's valid concerns.

Sincerely,

*Evelyn Burns*  
Evelyn Burns  
Executive Director

*Robert L. No 2*

EB/ss

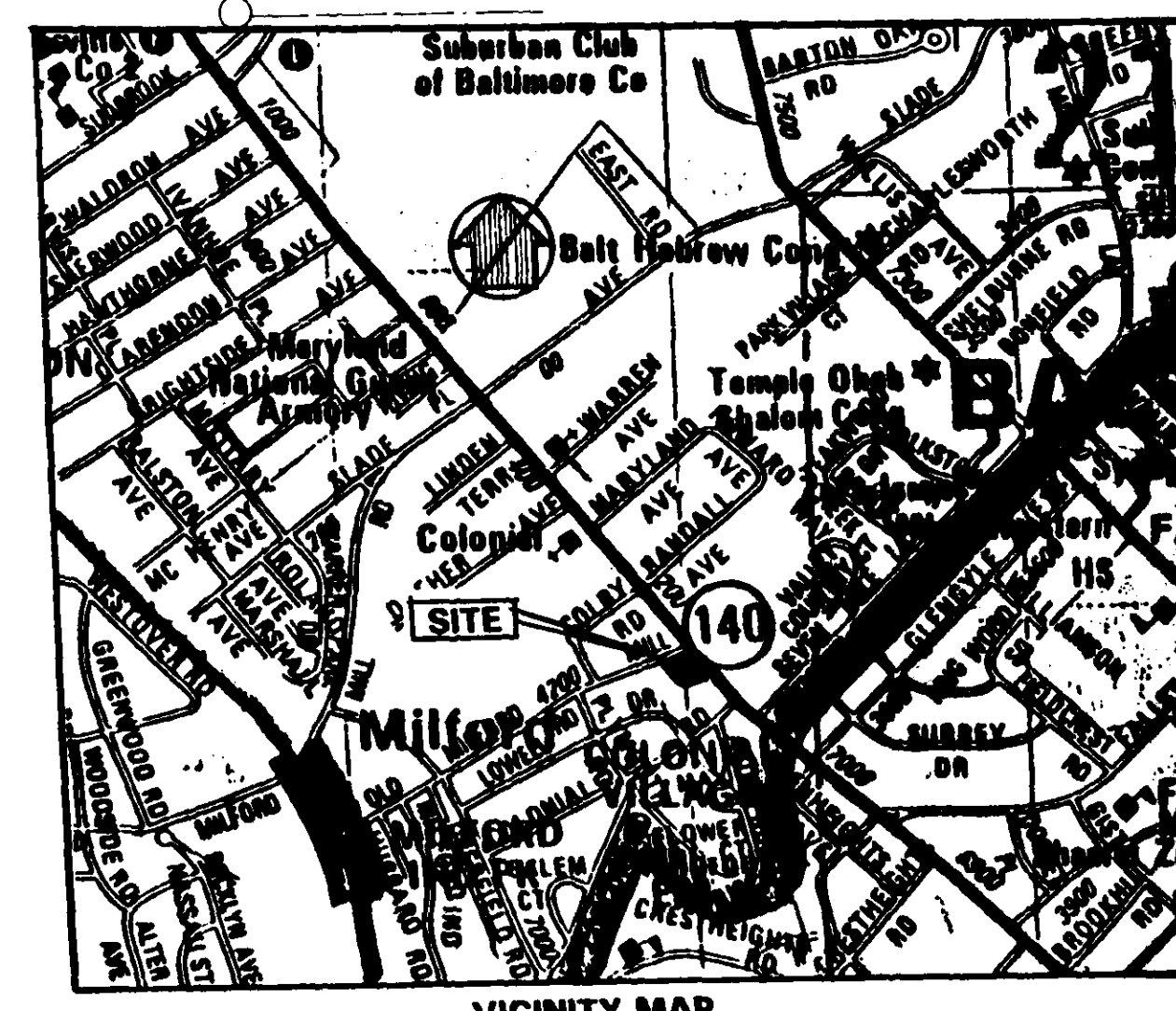
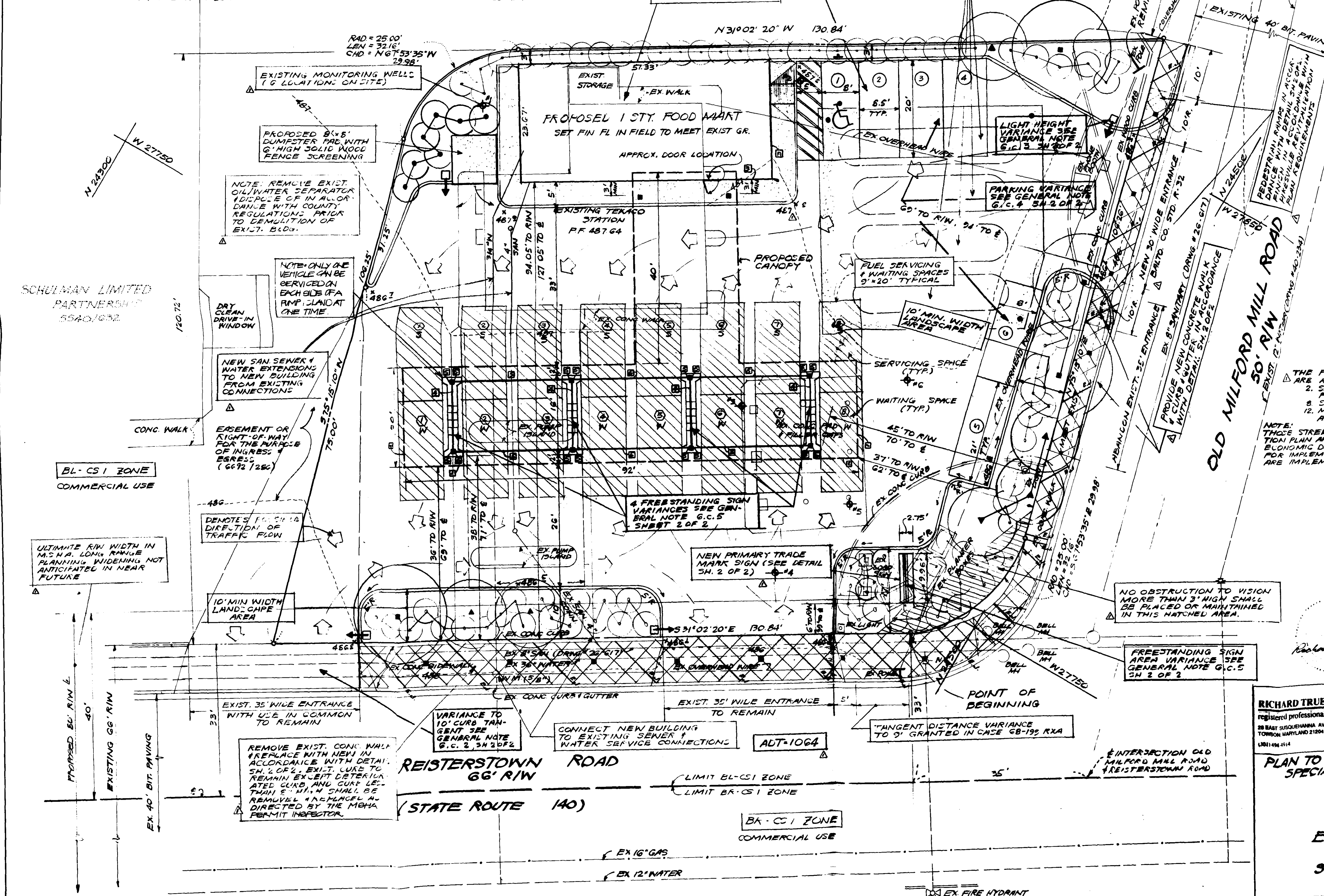




SOIL TYPES AND LIMITATIONS		
SOIL	BUILDINGS - NO BASEMENTS	STREETS AND PARKING
KHB-LEGORE	SLIGHT	MODERATE
URBAN		

**SIGN NOTES:**  
IN ADDITION TO THE FREE STANDING SIGN DETAILED HEREON, THE FOLLOWING SIGNS ARE INCLUDED ON THE SITE:

- 1. TENDON CANOPY SIGN (2) 75 SF (SINGLE FACE)
  - 2. STAR LOGO SIGN (2) 12.62 SF (SINGLE FACE)
  - 3. RETAIL FACILITY SIGN (2) 15.50 SF (SINGLE FACE)
  - 4. SPREADER SIGN (4) 336 SF (DOUBLE FACE)
  - (DOUBLE FACE)
  - 5. INFORMATIONAL SIGN 16 RAMP ISLAND FLAG (2 SIDES) 12 SF (DOUBLE FACE)
  - 6. APPROX. SIGN (1 SIGN) 19.51 SF (SINGLE FACE)
- SEE SH.102 FOR LOCATION OF EACH TYPE SIGN DENOTED BY NUMBER IN BOX



NOTE: EACH PUMP ISLAND CONTAINS 2 PUMPS WITH 4 TYPES OF FUEL DISPENSED ONE TYPE AT A TIME, ONLY TO EACH SIDE OF THE ISLAND. MAXIMUM NUMBER FUEL SERVICING SPACES PER PUMP IS EQUAL TO ONE.

THE FOLLOWING ANCILLARY USES PERMITTED UNDER SECTION 405.4.1 ARE ANTICIPATED:  
1. SALE OF CIGARETTES, CANDY, SOFT DRINKS, AND OTHER ITEMS FROM VENDING MACHINES;  
2. SALE OF SMALL AUTO PARTS AND ACCESSORIES;  
3. MINOR ACCESSORY USES, SUCH AS REST ROOMS, SALE OF MOTOR OIL, ANTIFREEZE, AND ALLIED PRODUCTS.

NOTE: THESE STREETScape IMPROVEMENTS RECOMMENDED IN THE PINEVILLE REVITALIZATION PLAN AND NOT SHOWN HEREON WILL BE REVIEWED WITH THE BALTIMORE COUNTY ECONOMIC DEVELOPMENT COMMISSION AND THE OFFICE OF PLANNING AND ZONING FOR IMPLEMENTATION AT SUCH TIME THAT THE STREETScape REQUIREMENTS ARE IMPLEMENTED ON NEARBY PROPERTIES.

ELECTION DISTRICT # 3  
COUNCILMANIC DISTRICT # 2  
CENSUS TRACT # 4034.02

WATERSHED # 26  
SUBWATERSHED # 52

APPLICANT: MR. JOSEPH MITCHELL  
STAR ENTERPRISE  
3800 PICKETT ROAD  
FAIRFAX, VIRGINIA 22031  
(703) 425-4048

DEED REFERENCE 6692/284 TAX MAP 78 PARCEL 697  
TAX ACCOUNT NO. 03-20-020360

CURRENT PLANNING # III-372  
PUBLIC SERVICES # 91184

**92-208-SPHXA**

CRG PLAN REVISIONS		
NO.	DATE	DESCRIPTION
1	8-21-91	PRE CRG COMMENTS
2	10-10-91	ADDED NOTES 15-21, 21A, 21B, 21C, 21D, 21E, 21F, 21G, 21H, 21I, 21J, 21K, 21L, 21M, 21N, 21O, 21P, 21Q, 21R, 21S, 21T, 21U, 21V, 21W, 21X, 21Y, 21Z, 21AA, 21AB, 21AC, 21AD, 21AE, 21AF, 21AG, 21AH, 21AI, 21AJ, 21AK, 21AL, 21AM, 21AN, 21AO, 21AP, 21AQ, 21AR, 21AS, 21AT, 21AU, 21AV, 21AW, 21AX, 21AY, 21AZ, 21BA, 21BB, 21BC, 21BD, 21BE, 21BF, 21BG, 21BH, 21BI, 21BJ, 21BK, 21BL, 21BM, 21BN, 21BO, 21BP, 21BQ, 21BR, 21BS, 21BT, 21BU, 21BV, 21BW, 21BX, 21BY, 21BZ, 21CA, 21CB, 21CC, 21CD, 21CE, 21CF, 21CG, 21CH, 21CI, 21CJ, 21CK, 21CL, 21CM, 21CN, 21CO, 21CP, 21CQ, 21CR, 21CS, 21CT, 21CU, 21CV, 21CW, 21CX, 21CY, 21CZ, 21DA, 21DB, 21DC, 21DD, 21DE, 21DF, 21DG, 21DH, 21DI, 21DJ, 21DK, 21DL, 21DM, 21DN, 21DO, 21DP, 21DQ, 21DR, 21DS, 21DT, 21DU, 21DV, 21DW, 21DX, 21DY, 21DZ, 21EA, 21EB, 21EC, 21ED, 21EE, 21EF, 21EG, 21EH, 21EI, 21EJ, 21EK, 21EL, 21EM, 21EN, 21EO, 21EP, 21EQ, 21ER, 21ES, 21ET, 21EU, 21EV, 21EW, 21EX, 21EY, 21EZ, 21FA, 21FB, 21FC, 21FD, 21FE, 21FF, 21FG, 21FH, 21FI, 21FJ, 21FK, 21FL, 21FM, 21FN, 21FO, 21FP, 21FQ, 21FR, 21FS, 21FT, 21FU, 21FV, 21FW, 21FX, 21FY, 21FZ, 21GA, 21GB, 21GC, 21GD, 21GE, 21GF, 21GG, 21GH, 21GI, 21GJ, 21GK, 21GL, 21GM, 21GN, 21GO, 21GP, 21GQ, 21GR, 21GS, 21GT, 21GU, 21GV, 21GW, 21GX, 21GY, 21GZ, 21HA, 21HB, 21HC, 21HD, 21HE, 21HF, 21HG, 21HH, 21HI, 21HJ, 21HK, 21HL, 21HM, 21HN, 21HO, 21HP, 21HQ, 21HR, 21HS, 21HT, 21HU, 21HV, 21HW, 21HX, 21HY, 21HZ, 21IA, 21IB, 21IC, 21ID, 21IE, 21IF, 21IG, 21IH, 21II, 21IJ, 21IK, 21IL, 21IM, 21IN, 21IO, 21IP, 21IQ, 21IR, 21IS, 21IT, 21IU, 21IV, 21IW, 21IX, 21IY, 21IZ, 21JA, 21JB, 21JC, 21JD, 21JE, 21JF, 21JG, 21JH, 21JI, 21JJ, 21JK, 21JL, 21JM, 21JN, 21JO, 21JP, 21JQ, 21JR, 21JS, 21JT, 21JU, 21JV, 21JW, 21JX, 21JY, 21JZ, 21KA, 21KB, 21KC, 21KD, 21KE, 21KF, 21KG, 21KH, 21KI, 21KJ, 21KK, 21KL, 21KM, 21KN, 21KO, 21KP, 21KQ, 21KR, 21KS, 21KT, 21KU, 21KV, 21KW, 21KX, 21KY, 21KZ, 21LA, 21LB, 21LC, 21LD, 21LE, 21LF, 21LG, 21LH, 21LI, 21LJ, 21LK, 21LL, 21LM, 21LN, 21LO, 21LP, 21LQ, 21LR, 21LS, 21LT, 21LU, 21LV, 21LW, 21LX, 21LY, 21LZ, 21MA, 21MB, 21MC, 21MD, 21ME, 21MF, 21MG, 21MH, 21MI, 21MJ, 21MK, 21ML, 21MN, 21MO, 21MP, 21MQ, 21MR, 21MS, 21MT, 21MU, 21MV, 21MW, 21MX, 21MY, 21MZ, 21NA, 21NB, 21NC, 21ND, 21NE, 21NF, 21NG, 21NH, 21NI, 21NJ, 21NK, 21NL, 21NM, 21NN, 21NO, 21NP, 21NQ, 21NR, 21NS, 21NT, 21NU, 21NV, 21NW, 21NX, 21NY, 21NZ, 21OA, 21OB, 21OC, 21OD, 21OE, 21OF, 21OG, 21OH, 21OI, 21OJ, 21OK, 21OL, 21OM, 21ON, 21OO, 21OP, 21OQ, 21OR, 21OS, 21OT, 21OU, 21OV, 21OW, 21OX, 21OY, 21OZ, 21PA, 21PB, 21PC, 21PD, 21PE, 21PF, 21PG, 21PH, 21PI, 21PJ, 21PK, 21PL, 21PM, 21PN, 21PO, 21PP, 21PQ, 21PR, 21PS, 21PT, 21PU, 21PV, 21PW, 21PX, 21PY, 21PZ, 21QA, 21QB, 21QC, 21QD, 21QE, 21QF, 21QG, 21QH, 21QI, 21QJ, 21QK, 21QL, 21QM, 21QN, 21QO, 21QP, 21QQ, 21QR, 21QS, 21QT, 21QU, 21QV, 21QW, 21QX, 21QY, 21QZ, 21RA, 21RB, 21RC, 21RD, 21RE, 21RF, 21RG, 21RH, 21RI, 21RJ, 21RK, 21RL, 21RM, 21RN, 21RO, 21RP, 21RQ, 21RR, 21RS, 21RT, 21RU, 21RV, 21RW, 21RX, 21RY, 21RZ, 21SA, 21SB, 21SC, 21SD, 21SE, 21SF, 21SG, 21SH, 21SI, 21SJ, 21SK, 21SL, 21SM, 21SN, 21SO, 21SP, 21SQ, 21SR, 21SS, 21ST, 21SU, 21SV, 21SW, 21SX, 21SY, 21SZ, 21TA, 21TB, 21TC, 21TD, 21TE, 21TF, 21TG, 21TH, 21TI, 21TJ, 21TK, 21TL, 21TM, 21TN, 21TO, 21TP, 21TQ, 21TR, 21TS, 21TT, 21TU, 21TV, 21TW, 21TX, 21TY, 21TZ, 21UA, 21UB, 21UC, 21UD, 21UE, 21UF, 21UG, 21UH, 21UI, 21UJ, 21UK, 21UL, 21UM, 21UN, 21UO, 21UP, 21UQ, 21UR, 21US, 21UT, 21UU, 21UV, 21UW, 21UX, 21UY, 21UZ, 21VA, 21VB, 21VC, 21VD, 21VE, 21VF, 21VG, 21VH, 21VI, 21VJ, 21VK, 21VL, 21VM, 21VN, 21VO, 21VP, 21VQ, 21VR, 21VS, 21VT, 21VU, 21VV, 21VW, 21VX, 21VY, 21VZ, 21WA, 21WB, 21WC, 21WD, 21WE, 21WF, 21WG, 21WH, 21WI, 21WJ, 21WK, 21WL, 21WM, 21WN, 21WO, 21WP, 21WQ, 21WR, 21WS, 21WT, 21WU, 21WV, 21WW, 21WX, 21WY, 21WZ, 21XA, 21XB, 21XC, 21XD, 21XE, 21XF, 21XG, 21XH, 21XI, 21XJ, 21XK, 21XL, 21XM, 21XN, 21XO, 21XP, 21XQ, 21XR, 21XS, 21XT, 21XU, 21XV, 21XW, 21XX, 21XY, 21XZ, 21YA, 21YB, 21YC, 21YD, 21YE, 21YF, 21YG, 21YH, 21YI, 21YJ, 21YK, 21YL, 21YM, 21YN, 21YO, 21YP, 21YQ, 21YR, 21YS, 21YT, 21YU, 21YV, 21YW, 21YX, 21YY, 21YZ, 21ZA, 21ZB, 21ZC, 21ZD, 21ZE, 21ZF, 21ZG, 21ZH, 21ZI, 21ZJ, 21ZK, 21ZL, 21ZM, 21ZN, 21ZO, 21ZP, 21ZQ, 21ZR, 21ZS, 21ZT, 21ZU, 21ZV, 21ZW, 21ZX, 21ZY, 21ZZ

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCES

**TEXACO**  
120 REISTERSTOWN ROAD  
ELECTION DISTRICT 3, COUNCILMANIC DIST. 2  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=10' OCTOBER 22, 1991  
SHEET 1 OF 2 215